

**Design Build No 10 2007 2008
8-261.20 and 11-279.10
McCreary and Whitley County
KY 92 Widen and Relocation
Utility Coordination Meeting Minutes
7-11-07**

Attendees:

Bob Farley	KYTC-Design	502-564-3280	
Josh Callihan	KYTC-D11 Const	606-598-2145	
Phillip Howard	KYTC-D11 Const	606-598-2145	
Joey Mosely	KYTC-D11 Const	606-549-3760	
David Hacker	KYTC-D11	606-598-2145	
Jeremiah Littleton	KYTC-Const	502-564-4780	
John Mucci	KYTC-Utilities	502-564-3210	
J.V. Loughran	KYTC-D11 Utilities	606-598-2145	
Sherrill Smith	QK4	502-584-2222	
Bill Ryerson	QK4	502-584-2222	
David Jones	Bizzack	859-299-8001	
Lindsey Briggs	Palmer	859-744-1218	
Lee Anderson	Elmo Greer	606-843-6136	
Bill Morris	ENTRAN	859-233-2100	
Morris Smith	ENTRAN	859-233-2100	
Antonio Pousa	ENTRAN	859-233-2100	
Lester Wimpy	Bizzack	859-299-8001	
Joe Lewis	HDR/Quest	859-223-3755	
Joe Cochran	HDR/Quest	859-223-3755	
Bobby Ballard	Hinkle	859-263-7558	
Dave Harmon	KYTC-DEA	502-564-7250	
Zack Couch	KYTC-DEA	502-564-7250	
John Purdy	KYTC-DEA	502-564-7250	
David Beattie	KYTC-D8 Precon	606-677-4017	
Alan Edwards	KYTC-D8 Utilities	606-677-4017	
Morgan Wilson	KYTC-D8 Utilities	606-677-4017	
Rob Martin	KYTC-Proj Dev	502-564-3730	
Gary Harvey	EKPC	859-745-9601	Garry.Harvey@ekpc.coop
J.L. White	Champ Oil	606-549-5797	
Chris Collins	Highland Tele.	423-628-2121	Chris@Highlandtel.net
Steve Garrett	Highland Tele.	423-628-2121	
Donald Freytas	Highland Tele.	423-628-2121	
Albert Mahan	Whitley Co Water	606-549-3600	wcd@bellsouth.net
Donald Lynch	C.V.Electric	606-528-2677	dlynch@cvecc.com
Mark Abner	C.V.Electric	606-528-2677	
Odell Keene	AT&T	606-248-7243	dnllon@bellsouth.com

Proposals will be due September 21, 2007 for this project.

1) Project Description-Widen\Relocate KY 92 from west of KY 592 to the Whitley County line (MP 21.512 to MP 25.737), then continue east from the County line to approximately Corn Bread Branch (MP 0.00 to MP 4.4)

Project Manager: Joey Mosely P.E.

2) Project Overview: The plans provided today are considered to be at the “plans in hand” stage for McCreary County and the “Right Of Way Stage” for Whitley County in the plan development process. Hopefully, KYTC is providing all the information needed to complete the design of the project to the point that the DBT is prepared to submit a bid. However, if it appears that some additional information may exist that you believe would be beneficial, please contact us as soon as possible and we will try and get it for you.

3) Status of Utility Facilities Mapping\BUD membership

A T& T and Cumberland Electric were the only utility companies present who were members of BUD. The DBT's were asked to contact the companies directly for any location needs.

a) Preferred Process for making inquiries:

Please see the sign in sheet and Appendix D of the Scope of Services. Contact names, phone numbers, and email for contact persons can be gathered from these sources.

b) Utility Estimates

A brief overview was provided to the utility companies advising that each DBT will be asking them for a preliminary estimate and a schedule in order to prepare their bid for the project. Since the plans have been developed to an advanced stage, it was expressed that hopefully this will not be much different than for a Design Bid Build project. The utility companies were asked to contact the D11 utility agent if they had any questions about project requirements.

4) Specific Project “Areas of Concern” for Utility Companies

The Utility Companies present had not seen the entire set of plans. Therefore, they had little to offer regarding facilities in the area to avoid. KYTC advised that copies of the plans, in the “preferred” format of the utility company, would be provided as soon as possible.

5) Status of Permits

DEA provided an update regarding the status of the permit application. Biological Assessments are currently underway and field work is expected to be completed by August. Any mitigation requirements resulting from this work will be provided to the DBT's when it becomes available.

6) Right of Way

a) Mineral Rights

The DBT's were advised by David Beattie with KYTC that according to the Revenue Cabinet, no property owners are currently paying taxes on minerals for any of the properties on the project. However, some parcels had been mined for coal in the past. KYTC advised that should a property owner bring up this issue during the right of way phase, the DBT and KYTC would have to evaluate this on a case by case basis. If necessary, the project schedule would be adjusted at that time.

b) Addendum (Legal Services Condemnation Suit Bid Item)

Components of your bid: The bid for the project shall be composed of two (2) "all inclusive" lump sum bids item that include all design, construction, and services outlined in the Scope of Services document. KYTC requires that a separate bid be prepared for the work in each County. As an addendum, KYTC has asked that a bid item for **Legal Services-Condemnation Suit** be provided for each County. All teams were aware of this change.

7) "Value Added" question process

KYTC has provided plans that are at the latter stages of project development. In general, minor adjustments to horizontal alignment and vertical grades that did not change the Right of Way or cause the permit to be amended would be considered "reasonable." Examples of the "value added" components would be changes that did increase Right of Way (or reduced Right of Way), changes to the stream impacts such that the permits would need to be amended, changes to the "clear zone" provided, changes to length of truck lanes provided etc. In an effort allow the most flexibility for the DBT, questions may be submitted to **Rob Martin (not Steve Waddle)** requesting a "ruling" in this regard. For this type of question, KYTC will treat this as confidential and not post the information to the web. However, if such a question does involve a "design exception", KYTC will post this to the web with the appropriate approvals.

This process was discussed with the DBT's and all were offered the opportunity to comment. KYTC advised that the DBT's would be given the opportunity to withdraw a

question “with no answer” once it has been determined whether the question and answer would be posted to the project website or treated as confidential.

Questions:

1) If no response regarding possible mitigation requirements is received from the various reviewing agencies, (US Fish and Wildlife etc) prior to turning in a bid, what should the DBT assume?

Answer: As presented in the Scope of Services, there are several potential mitigation items already included in the project. The DBT should plan on providing a very **rigorous** erosion control plan for the project. The DBT shall provide a bid based upon information that is available at the time bids are presented. Any changes in this regard that may develop after the bid is turned in will be dealt with on a case by case basis.

2) Is the pavement design for the project approved?

Answer: The Pavement Design for this project is still pending approval. This will be provided as soon as it is available. A pavement design is shown in the typical sections for the plans, but this is expected to change.

3) In regards to the mineral rights, will the DBT be responsible for paying royalties for any minerals removed from within the project right of way?

Answer: It is the intent of this project to purchase all right of way “fee simple”. Based upon this approach, KYTC will purchase mineral rights to a depth of 150’ below the lowest point in the roadway template at any given location along the new roadway. The DBT will not be required to pay royalties for any minerals removed with the right of way.